



CCR-715-1 Acquisition Management

Title: *Acquisition Management*

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Summary:

This regulation provides general information and guidance for managing the acquisition process within Cadet Command.

POC/Impact:

Applicability. This regulation applies to all United States Army Cadet Command staff agencies, Reserve Officers' Training Corps Regions (ROTCR), Senior ROTC battalions (SROTC), Junior ROTC units (JROTC), Goldminer Teams, and forward-deployed activities.

Supplementation. This regulation may not be supplemented. Upon receipt, all region publications on this subject will be rescinded. Region specific guidance for the Region HQ, SROTC battalions, JROTC units, and Brigade Commanders should be through a Memorandum of Instruction (MOI). **This regulation supersedes CC Reg 715-1, dated 10 Apr 95**

Suggested Improvements. The proponent of this regulation is the Resource Management Directorate. Send comments and suggested improvements on [DA Form 2028](#) (Recommended Changes to Publications and Blank Forms) through channels to Commander, U.S. Army Cadet Command, ATTN: ATCC-RM, Fort Monroe, VA 23651-5000. Suggested improvements may also be submitted using DA Form 1045 (Army Ideas for Excellence Program (AIEP) Proposal.

*Please ensure that you have the following software loaded: **Acrobat Reader 4.0 or >**.*

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Chapter 1, Introduction [TOC](#)

1-1. Purpose. Cadet Command's contracts are awarded and administered by host/support installation contracting offices who have their own guidelines. This regulation establishes general guidance for obtaining and maintaining effective contracting services. It also establishes procedures for coordinating new contract requirements within the Command prior to referral of requirements to a contracting activity. Wherever TRADOC publications are referenced, there may be equivalent FORSCOM or other MACOM publications applicable to non-TRADOC activities.

1-2. References. [Appendix A](#) contains a listing of the required and related publications.

1-3. Explanation of Abbreviations and Terms. The glossary contains abbreviations and explanations of special terms used in this regulation.

1-4. Background

a. Commanders, Directors and other Managers must plan and execute the best method of accomplishing the mission. In doing so, they should consider all alternatives such as in-house capabilities, temporary or permanent Department of Army civilian personnel, other agencies, existing contracts and new contract actions.

b. Acquisition Planning is required when awards of orders under existing contracts (including GSA contracts) or new contract awards may be necessary. Formal acquisition planning is not required for routine purchases of commercial items under \$2,500 using the IMPAC Card and micropurchase authority. However, such purchases must be made by individuals authorized to make them and in accordance with card issuing activity guidance. Acquisition planning is similar to other types of planning in that it involves identifying the requirement, coordinating the requirement to include securing funding for the requirement, writing the requirement, and managing the process of forwarding the requirement to a contracting activity and assisting that activity in awarding and administering a contract

or order. Proper acquisition planning within the command results in an acquisition package that may be referred to a contracting activity for coordination and award of an order or contract.

c. Acquisition Packages. Acquisition packages must contain the documents, approvals and concurrences required by Chapters 1 and 4 of this regulation before they may be referred to contracting activities.

1-5. Contracting Authority. Federal Laws require that only properly appointed and "warranted" contracting officers and ordering officers may purchase supplies and services for the government (except for authorized users of IMPAC Cards to make micropurchases, under \$2,500). Commanders, Directors and others with broad authority do not generally have the authority to enter into negotiations for purchase of goods or services from private business firms or industry. Therefore, such individuals should avoid even making simple price inquiries, because such inquiries occasionally have been misconstrued as official commitments to purchase on the part of the government. Such activities could result in an unauthorized commitment that can result in serious disciplinary action or even a violation of Federal Law.

a. Unauthorized Commitments. An unauthorized commitment is a purchase or commitment to purchase by a government employee who lacks the requisite authority or approved funds to obligate the government. An unauthorized commitment can occur when nonprocurement personnel order such items as food, fuel, vehicle repairs, office equipment repairs, advertising items, or any other goods or services. The servicing contracting officer must obtain a ratification of the action in order to pay the contractor or individual who supplied the goods and services. Ratification generally involves an investigation and requires approval at MACOM level. Therefore, ratification procedures are cumbersome and time-consuming. They include a written statement from the individual responsible for the unauthorized commitment documenting why proper contracting procedures were not followed, and what steps have been implemented to preclude such occurrences in the future.

1-6. Release of Contract Information. Premature or incomplete release of advance acquisition information is improper and can result in violations of federal law, and disqualification of the contractor to whom such information was released. Coordinate releases of information relating to future contracting actions with the Cadet Command Legal Office or the Contracting Activity.

1-7. Acquisition Planning Assistance and Requirements. Commanders, Directors and others responsible for mission accomplishment may obtain assistance with acquisition planning from the Acquisition Cell within the Headquarters Resource Management Directorate. Individuals requiring acquisition assistance at the Region and subordinate levels of the command may also obtain assistance from local servicing contracting offices. Within Cadet Command Headquarters, written concurrence by the Resource Management Directorate is required for all acquisition packages prior to their referral to a contracting activity.

1-8. Responsibilities

a. Commanding General (CG) and Region Commanders. The CG/Region Commander is responsible for overall acquisition management within the Command.

b. HQ and Region Chiefs of Staff (C/S). The C/S chairs the Acquisition Planning Board (APB) and maintains acquisition decision approval authority for the Command. Such decision authority is not authority to issue or amend contracts or orders.

c. HQ Directors, Region division chiefs, and heads of special staff offices. Active involvement of senior

leadership in the decision making process is critical.

(1) Resource Management Directorate/ Division compiles the Cadet Command forecast for contracts. Forecasts are submitted annually by directors/staff office chiefs and cover three fiscal years.

(2) Directors/ staff office chiefs establish their planning coordinators as soon as a requirement is identified.

d. Acquisition Planning Board (APB). The APB is the decision-making body for Cadet Command acquisitions.

e. Contracting Officers Representatives (COR). The COR is appointed in writing by a contracting officer under the terms of a contract to monitor contractor performance to ensure that it meets the specifications of the contract. CORs carry out assigned duties or tasks included in their appointment letter or designated by the Contracting Officer.

1-9. Required Approvals

a. Acquisition Planning Board (APB) Approval.

(1) Initial Reviews. The APB will review all new acquisition projects that will result in contract actions over \$50,000. APB concurrence is required for such projects prior to their release to contracting activities.

(2) Annual Reviews. The APB will review all recurring acquisition projects identified on the annual acquisition forecast. The board will analyze requirements and make recommendations to approve, disapprove, defer or cancel the project(s).

(3) The APB will consist of the Chief of Staff; director/staff office chief proposing the contract; Director, RMD; Chief, Program and Budget Division; and Chief, Management and Logistics Division.

(4) The APB team members will become thoroughly familiar and comply with the Federal Acquisition Regulation, Part 3, Improper Business Practices, and Personal Conflicts of Interest; [DOD Directive 5500.7](#), Standards of Conduct, dated Aug 94; and Section 27 of the Office of Federal Procurement Policy Act (41 USC 423), Procurement Integrity.

b. Chief of Staff Approval. The Chief of Staff will review and concur with all contracts below \$50,000 and above the micropurchase authority level (currently \$2,500). Chief of Staff concurrence will be secured prior to release of an acquisition package at this value to a contracting activity.

c. Directors/Staff Office Chiefs. The Director/Staff Office Chief will review and concur with all micropurchases/IMPAC Card purchases made within a directorate.

d. Region-level Approvals. Regions will establish their own ceilings for contract action reviews. (Note: Small contracts should be randomly sampled by the region APB so that there is a complete picture of all goods and services we are purchasing.)

2-1. TRADOC's Advance Acquisition Planning System (TAAPS). TRADOC's Advance Acquisition Planning System (TAAPS) was established in 1991. The main objective of this system is to improve requirements planning as a foundation for responsive, effective and necessary acquisition. The TAAPS system is an overall strategy for managing acquisition and consists of two main areas:

- a. Establishing acquisition planning procedures throughout TRADOC.
- b. Establishing an acquisition forecast from each activity (which is shared throughout TRADOC), with the intent of consolidating similar contracting actions, reducing offloads to outside agencies, serving as a management tool, and promoting early identification of contract requirements. Published semiannually, it lists present mission contracts, a forecast for the next two fiscal years, information on each contract, and the points of contact.

2-2. Leader Involvement. Lack of adequate involvement of key leaders has been identified by TRADOC as a systemic problem. It is critical that managers know and comply with acquisition policies, rules, and regulations to optimize efficiency and minimize risk in our mission contracts. Oversight and quality assurance should encompass every phase of the acquisition process.

2-3. To Contract or Not to Contract. It is government policy to consider the private sector as a source for supplies/services to support the government's operations when the government lacks the required staff or resources. The Department of Defense uses contractor support to help perform its mission, because it can be a more efficient, cost effective approach, or because of constraints on the use or availability of in-house resources.

2-4. Contracting for "Mission" Support. Mission support is defined as any supply or service directly related to an activity's mission which may be contracted out. Cadet Command has several mission support contracts: the battalion/headquarters functional support contract, the Enhanced Skills Training program, advertising and marketing contracts, and curriculum/training materials for JROTC.

2-5. Inherently Governmental Functions and Contractor Support. When considering contractor support or making a determination on what activities, functions, or tasks are candidates for contracting out, ensure that contractors do not perform inherently governmental functions. An inherently governmental function is one which is so intimately related to the public interest as to mandate its performance by government employees. For example, it is government policy that contractors or consultants will not perform work of a policy, decision-making or managerial nature. These functions include activities which require either the exercise of discretion on applying government authority, or the use of value judgements in making decisions for the government. Examples of functions considered inherently governmental within Cadet Command include rating or supervising military or federal employees, accounting for government assets (e.g., maintaining property books), and preparing Cadet Evaluation Reports.

2-6. Core Capability. Closely related to inherently governmental functions is the concept of core capability. While some functions/tasks are inherently governmental, many others are candidates for contracting out. When making these determinations, ensure that Cadet Command maintains a core capability. This means maintaining a sufficient number of trained and experienced staff to manage the work and handle certain complex requirements in emergency situations. Technical expertise must remain in Cadet Command to make sound judgments on contract requirements, estimate costs, and determine if the contractor is performing in accordance with the command's requirements and the terms and conditions of the contract.

2-7. Service Contracts. A service contract directly engages the time and effort of a contractor, whose primary purpose is to perform a function or task, rather than to furnish a product. There are important policies and guidelines for using the private sector to perform services; close coordination with the servicing contracting office is essential.

2-8. TRADOC-Wide and Service-Wide Contracts. TRADOC and the General Services Agencies, among others, have in place contracts that have already been awarded and that are available to Cadet Command. Cadet Command may utilize such contracts by placing orders for services under the contracts. The procedures for placing such orders may be streamlined and substantially faster than award of a new contract. Directorates will research existing contracts and identify them in acquisition packages. However, depending on the circumstances, such identified contracts may or may not be available to the contracting activity to utilize.

Chapter 3, Funding

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3-1. Funding

a. Independent Government Cost Estimates (IGCEs). As soon as a requirement is identified, the project officer will develop an independent government cost estimate on the project. Sources for estimating costs include historical data, the servicing contracting office, on-hand or otherwise available price lists, etc. The cost estimate includes all fiscal years in which funding will be expended.

b. Resource Management Coordination. Project officers will coordinate all cost estimates and requirements for funds with Resource Management Directorate/Division. Funding for acquisition projects is included in budget's long range planning requirements. Project officers also coordinate all purchase request documents with Resource Management Directorate/Division before initiating the contracting process.

c. Safeguarding Cost Estimates. Government cost estimates shall be safeguarded against unauthorized or accidental release. Directorates will mark cost estimates as "ACQUISITION SENSITIVE - DO NOT RELEASE."

Chapter 4, Acquisition Process

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4-1. Acquisition Process. There are five general acquisition phases which lead to contract support: planning, presolicitation, solicitation, evaluation/award, and delivery/performance. More detailed guidance can be found in the TRADOC Acquisition Management Handbook and the TRADOC Action Officer's Guide. As a general rule, it is inappropriate to communicate directly with contractors regarding any upcoming requirement. Release of information could lead to a violation of procurement integrity laws or disqualification of the contractor from the acquisition process. Questions to or from contractors must be referred to the contracting activity, or after contract award, to the contracting officer's representative (COR). See Chapter 6.

4-2. Planning Phase. The planning phase includes the period of time from identification of a requirement to referral of it to a contracting activity. During this phase, the requiring directorate determines its requirements, obtains approvals within Cadet Command (See Chapter 2), programs or identifies funds, and coordinates requirements with the servicing contracting office. Detailed requirements that will eventually be written into a statement of work, are developed and approved during this phase. If there are special needs, such as obtaining technical data rights or materials subject

to copyright, notify the contracting officer early in the process. Together with the Command's functional personnel, Contracting personnel will eventually assist with incorporating requirements into a statement of work (SOW) and prepare a solicitation which is reviewed for legal sufficiency prior to issuance. In planning, directorates will carefully consider the amount of time needed to prepare these documents (30 days to 12 months depending upon the complexity and dollar value of the contract) which may determine which fiscal year's dollars will be required.

a. Decision briefing. If a new requirement appears appropriate for acquisition action, the initial step is the same as most other projects; develop the concept and obtain concurrences. The size and complexity of the project will determine the nature and depth of the concept briefing. However, in every case involving new acquisitions above the micropurchase threshold (currently \$2,500), the directorate requiring contractual support will prepare a detailed concept briefing for coordination with the Chief of Staff. At a minimum, the briefing must include the following paragraphs:

(1) Purpose. This paragraph states the purpose of the briefing and the purpose of the project. The purpose of the briefing will always be "To obtain CofS concurrence to contract for [some requirement (s)]."

(2) Requirements. This paragraph states the directorate's requirements, explains how they arose, and indicates why contractor support should be considered.

(3) Coordination. This paragraph states the other directorates and personnel within or outside the command with whom the requiring directorate has coordinated. At a minimum, include coordination with the Resource Management Directorate and the Command Judge Advocate.

(4) Courses of Action. This paragraph lays out the possible alternatives to fulfilling the requirements. It shall explain why the requirements cannot be accomplished, or accomplished as efficiently, using existing government personnel. Include at least one course of action that entails the acquisition concept.

(5) Approval. This paragraph states exactly what the directorate requests the CofS to approve. Normally, a request is made to refer action directly to the Acquisition Review Board for approval. If approval remains at the Chief of Staff level, authorization will be requested to complete an acquisition package and refer it to a contracting activity.

b. Approval Memo. With the decision briefing, the requesting directorate will include a "decision memo" for the Chief of Staff. This memo will become the written authorization to proceed with the project after the CofS has reviewed the decision briefing.

4-3. Presolicitation Phase

a. The presolicitation phase is that period of time after Cadet Command submits the acquisition package to the contracting activity but prior to issuance of the solicitation to prospective contractors. During this phase, contracting personnel analyze the requirement, determine the best method of acquisition, develop a solicitation (or equivalent), and resolve any questions with Cadet Command.

b. It is not unusual for the contracting activity to solicit industry comments during this phase. To avoid prematurely disclosing advance acquisition information, all contractor questions should be referred to the contracting officer handling the acquisition.

4-4. Contents of an Acquisition Package

a. To plan correctly, it is necessary to understand what the contracting activity may require from Cadet Command to award the contract. The Resource Management Acquisition Cell may maintain examples of these documents and is available to assist the requiring directorate in completing them. The regions can obtain assistance from the acquisition cell or from their servicing contracting office. An acquisition package consists of:

- (1) Purchase Request and Commitment ([DA Form 3953](#))
- (2) Acquisition strategy/milestone schedule
- (3) Statement of work and specifications
- (4) Independent government cost estimate
- (5) Evaluation criteria for negotiated procurement
- (6) Evaluation plan
- (7) List of potential sources
- (8) Technical point of contact
- (9) Delivery requirements - period of performance and place of performance
- (10) Inspection requirements (if applicable)
- (11) Contract data requirements list
- (12) Data item description
- (13) Security requirements checklist
- (14) Justification for other than full and open competition
- (15) Nomination of COR with copy of training certificate
- (16) Copies of required approvals, e.g., management decision document
- (17) Identification of government furnished property/materials/data
- (18) Automation procurement checklist
- (19) Transportation factor
- (20) Instruction to offerer for technical preparation of the quotation or proposal
- (21) Acquisition plan
- (22) DOIM authentication

b. HQ directorates shall contact the Acquisition Cell of Resource Management, and the regions can contact their servicing contracting office for guidance on how to prepare the documents listed above.

c. After a complete acquisition package has been submitted to a contracting activity, it can take from 30 days to 12 months, depending on the complexity and dollar amount of the project, for actual contract award. This is influenced by many factors-the most important of which are the involvement of contracting personnel from the very start of the planning stage, the quality of the package received by contracting personnel, and close coordination following submission of the package. The following are the Procurement Administrative Lead Time (PALT) goals required for supplies and services over \$2,500.

1) Supplies:

\$2,501-\$25,000 - 30 days

\$25,001-\$100,000 - 70 days

Over \$100,000 - 90 days

(2) Services:

\$2,501-\$25,000 - 90 days

\$25,001-\$100,000 - 120 days

Over \$100,000 - 180 days

(3) You must add at least two weeks to these goals to factor in mailing time to HQ Cadet Command, legal review, processing by Resource Management, and transmittal to Ft. Eustis.

d. The Cadet Command point of contact must submit to the servicing contracting office, along with the acquisition package, a signed statement as follows: *"All individuals who meet the definition of 'procurement official' as defined in FAR 3.104 have had the required training, have filed the required certificate, and have filed SF 450 with their servicing Ethics Counselor. Any procurement official who leaves Government service prior to award will furnish the contracting officer a copy of that individual's exit certificate."*

e. Acquisitions exceeding \$100,000 must include a list of all Cadet Command personnel who have had or will have access to source selection information.

f. All acquisition packages must be reviewed by the Command Staff Judge Advocate Office prior to forwarding them to a supporting contracting activity.

4-5. Solicitation Phase

a. The solicitation phase is that period of time during which prospective sources review plans and specifications on solicitations, and prepare and submit their offers to the contracting activity. Contracting activities generally must provide at least 30 calendar days for this phase and, depending upon the complexity of the requirement, it may take several months to ensure full and open competition.

b. Cadet Command may be required to assist the servicing contracting office in responding to technical questions from contractors during this phase. Generally, a solicitation cannot close until all substantive questions have been answered. Preparing for the evaluation is one activity in which the manager could be involved.

4-6. Evaluation and Award Phase

a. The evaluation and award phase is that period of time after offers are received during which the contracting activity and the requiring directorate evaluate all offers. They determine which is the most advantageous to the government based on price and any other pertinent factors that were included in the request for proposals/solicitation. Depending upon the complexity of the requirements, Cadet Command may be responsible for a technical evaluation panel or, in the case of formal source selection, appointing Source Selection Evaluation Board members to evaluate offers and to prepare summary findings required in the source selection process. The contracting officer or other source selection authority will make the final selection of the successful offerer.

b. The Army generally follows a "best value" approach to contract award. Generally, this results in a contract award based on factors other than only best price. Requiring directorates must identify such non-price factors when completing acquisition packages. The acquisition cell within the RM Directorate assists in identifying award factors based on directorate requirements.

4-7. Delivery and Performance Phase

a. The delivery and performance phase is that period of time after contract award during which the contractor is required to deliver supplies and perform services. Such time must be realistic to increase competition and preclude costs to the government for overtime, air-freight transportation, and so on. The contracting officer usually appoints a trained Cadet Command contracting officer's representative (COR) during this phase.

b. If there are contractor problems, the COR must notify the contracting officer. If deliveries are late or performance is unsatisfactory, the command must notify the contracting officer in a timely fashion, or the government may lose some of its contractual rights, such as required time for deliveries or quality of services. Any need for change must first be submitted to the contracting officer, not the contractor.

4-8. Acquisition Alternatives. A statutory requirement exists for full and open competition. Competition usually results in lower costs and higher quality.

a. Existing TRADOC or GSA Contracts. Many of the competition requirements may have already been met if the contracting agency can locate an existing contract under which an order may be placed to accomplish the command's requirements.

b. Sole Source Contracts. If an existing contract is not available or desirable, a contract directed to a sole source may be possible if there is only one responsible source capable of satisfying the requirements. However, it is normally very difficult to establish that a particular contractor is the only available source. Determinations that a source is the only available source are subject to review and non-concurrence by the MACOM, General Accounting Office, and Federal Courts. Therefore, such determinations shall be coordinated with the Command Judge Advocate Office.

c. "Offloading." Although used with great discretion, it is possible to use contracts already in place and managed by another command. This is referred to as "offloading" and requires an "Offload Request" and

approval by TRADOC.

d. **Simplified Acquisitions.** For most acquisitions less than the FAR's simplified acquisition threshold (currently, \$100,000), the contracting activity need not obtain full and open competition, but instead must obtain competition to the maximum extent practicable. Generally, this means that a solicitation need not be issued for universal review and consideration by all potential sources. Instead, the contracting activity must obtain some lesser degree of competition consistent with simplified acquisition procedures.

Chapter 5, Contacts With Industry Representatives

5-1. Contacts with Industry Representatives. Managers will probably have contact with industry representatives outside the scope of the formal acquisition process. Information exchanges during such contacts are constrained by numerous laws and regulations. Nevertheless, such contacts are often helpful in accomplishing our mission. Some situations that may arise and some related general rules are outlined below:

a. Avoid any perception of favoritism to any one source, particularly when dealing with industry representatives who are former government employees. Anyone who is charged with meeting or presenting briefings to industry representatives must avoid furnishing information that could result in an unfair competitive advantage. *Retired officers have no right to receive information or briefings that could involve current contracts, proposed contracts, or possible contracts.*

b. Only contracting officers can legally obligate funds or commit the government to a contract. Be careful not to make any commitments, encourage, or instruct a contractor to begin work, in anticipation that a contract will eventually be awarded. You could personally be held liable for commitments.

c. Generally, government personnel are prohibited from accepting voluntary services from nongovernmental personnel. Coordinate with the Acquisition Cell of Resource Management and legal offices prior to accepting any services. In some circumstances, it may be acceptable for a contractor to provide a briefing outlining its capabilities or to demonstrate a product. However, the propriety of such briefings or demonstrations depends on when they are provided and on other facts and circumstances. Also, before any demonstrations are conducted, the contractor and the government must execute a Vendor Demonstration Agreement. HQ should refer any briefing proposals to the Acquisition Cell of Resource Management and the regions should refer the proposal to their servicing contracting office.

d. To ensure fairness in the acquisition of goods and services, simultaneous disclosure of the need for assistance should be made to all potential sources. Disclosures can occur through one of the following means: issuing a solicitation to industry, placing a notice in the Commerce Business Daily, or compiling material in a single location so that the information is readily available for public review. This includes the statement of work or other information that may be included in a solicitation package. Such distributions are made by the supporting contracting activity.

e. During the acquisition stage, all requests for information, including FOIA pertaining to the contract, must be referred to the contracting officer.

5-2. Receiving Unsolicited Proposals. An unsolicited proposal is a written offer to perform a proposed task. It is initiated and submitted to the government by a prospective contractor (without a solicitation by the government), with the objective of obtaining a future contract. It is DOD policy to foster and encourage unsolicited proposals. The unsolicited proposal is a valuable means by which unique or

innovative methods or approaches can be made available to the government. If an unsolicited proposal is received, do not respond directly to the prospective contractor. HQ can forward it to the Acquisition Cell of Resource Management and the regions can forward it to their servicing contracting office without delay so that it can be formally evaluated. In some situations, it may be appropriate to generate competition after receipt of an unsolicited proposal.

5-3. Ethics Issues

a. Gifts and Gratuities. Government personnel are prohibited from accepting gifts or gratuities offered to them because of their official position, or offered to them from a prohibited source (someone seeking to do business with the government). Excluded from the definition of a gift or gratuity are modest items of food and beverages and items having a market value of \$20 or less. Prior to acceptance, coordinate with an ethics counselor in the Command's legal office.

b. Conduct. The Procurement Integrity Act precludes those individuals involved in any part of the acquisition process (from drafting a statement of work to contract award) from engaging in certain conduct. That conduct includes: negotiating for employment, disclosing source selection or contractor proprietary information, or accepting any gifts or gratuities from prohibited sources.

c. Post retirement employment. Various statutory and regulatory restrictions apply to the post-retirement employment opportunities of former government personnel with defense contractors. Prior to entering into negotiations with a contractor and before accepting employment with a defense contractor, coordinate with the ethics counselor in the Command's legal office. The ethics counselor can and generally should provide you with written post government employment ethics advice.

d. Recusal procedures. A procurement official who has not engaged in evaluation of proposals, negotiations or source selection may seek to recuse or disqualify himself or herself from a procurement (or other action) in order to seek employment with a related contractor. Recusal request formats are available in the Command Legal Office and must be addressed to the recusing official's supervisor with copies to the contracting officer.

Chapter 6, Contracting Officers Representative (COR)

6-1. Purpose. The primary responsibility of a COR is to assure that the contractor performs according to the specifications of the contract.

6-2. Selection. Cadet Command can nominate a COR, but the COR must be officially appointed by the contracting officer. The COR's duties are limited to those listed in the appointment letter. A copy of the TRADOC Guide for Contracting Officer's Representatives (or FORSCOM equivalent) can be obtained from the servicing contracting office.

6-3. Training. A COR must be certified by successful completion of a COR course. The COR course is provided by correspondence, on line, in residence at the Army Logistics Management College, Fort Lee, VA, or (for TRADOC) by video teleconference from other sources. A copy of the training certificate must be provided to the contracting officer.

6-4. Files. CORs must maintain complete files, i.e., reviews, evaluations, performance documentation, certification, etc., that guides/supports the contractor's performance. When the contract is complete, these files become part of the official record. From time to time the servicing contracting office conducts reviews of COR files--follow the COR Guide when setting up your files.

Chapter 7, Contract Monitoring and Oversight **TOC**

7-1. Contract Reviews

a. Staff reviews. All Cadet Command contracts must be reviewed periodically by directors/staff office chiefs to determine that the contracts continue to be properly administered at fair and reasonable rates, that they can withstand outside scrutiny by the contracting office or MACOM, and that the service or product is still required. Supervisory personnel will also evaluate such matters as to whether additional in-house capabilities should be established, whether there are ways to consolidate or reduce reliance on contracts over time and whether the command is properly obtaining ownership of products/copyrights.

b. Chief of Staff Reviews. Periodically the Chief of Staff will direct a command-wide review of contracts (usually limited to those over \$50,000). The following questions form the basis for discussion:

- (1) What is the purpose of the contract?
- (2) How much is it costing the command?
- (3) How long is the contract period of performance? Is it renewable? Is there a cancellation penalty?
- (4) What are the command's options if it cannot maintain the goods or services?
- (5) Are there alternative methods of obtaining the goods or services?
- (6) What is the command's method for monitoring deliverables to ensure quality?
- (7) Can the contract be reduced in scope?
- (8) If a service, how many people participate, i.e., number of EST students?
- (9) If a product, what is the cost per output?

7-2. Oversight. Oversight for Cadet Command contracts occurs at three levels:

a. In accordance with the TRADOC Acquisition Management Plan, Cadet Command reviews contracts over \$100,000/year for this headquarters and regions. Examples include Enhanced Skills Training, Management Information Systems, JROTC, Advertising, SOCC Training, George C. Marshall Awards, English as a Second Language, and the Military History Fellowship. Individual scholarship contracts and retired instructor pay are not included in reviews.

b. Regions provide oversight for contracts that are administered by their host installation contracting office.

c. Thirty-five TRADOC/FORSCOM/USARPAC/MDW support installations and their contracting offices provide oversight for service-type purchases such as laundry and dry cleaning required by the schools. The support installation's procedures will be followed for these contracts. However, the region will closely monitor all contracts during school inspections or establish other feedback systems to ensure compliance with this regulation.

7-3. Where to Obtain Assistance? The following activities are available to provide contracting support for Cadet Command and they should be involved in the acquisition from planning to delivery.

**TRADOC Acquisition Center (TAC)
(ATAC)**

**Fort Eustis, VA 23604-5538
(757) 878-3166 DSN: 927-3166
FAX: 927-4284**

**DCSBOS-Acquisition Directorate
(ATBO-A)**

**Fort Monroe, VA 23651-5000
(757) 788-2784 DSN: 680-2784
FAX: 680-4179**

**HQ USA Cadet Command
(ATCC-RM\Acquisition Cell)
Fort Monroe, VA 23651-5000**

**HQ USA Cadet Command
ATTN: Command Judge Advocate
Fort Monroe, VA 23651-5000**

Appendix A **TOC**

References

Federal Acquisition Regulation (FAR) to include the Defense FAR Supplement (DFARS) and Army FAR Supplement (AFARS)

41 USC 423, Section 27

Office of Federal Procurement Policy Act, Procurement Integrity

*[TRADOC Acquisition Instruction \(TAI\)](#)

*[TRADOC Offload Policy](#)

*[TRADOC Guide for CORs](#)

*[TRADOC Mission Contracting Division Acquisition Request Guidebook](#)

*[TRADOC FIPS Approval and Acquisition Guide](#)

[Joint Ethics Regulation \(JER\) DOD 5500.7R](#)

*or other MACOM equivalent

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